## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION CIVIL ACTION NO. 5:10-CV-95-RLV-DCK

LOUIS H. BILLIPS, JR.,	)	
	)	
Plaintiff,	)	
	)	0.000
<b>v.</b>	)	<u>ORDER</u>
NC BENCO STEEL, INC.,	)	
Defendant.	)	
	)	

THIS MATTER IS BEFORE THE COURT *sua sponte* regarding alternative dispute resolution ("ADR"). Counsel for Plaintiff contacted Court personnel today seeking to make arrangements for a judicial settlement conference in this matter. The "Pretrial Order And Case Management Plan" (Document No. 13) calls for "mediation or judicial settlement conference" to be utilized in this case to accomplish the requirement of ADR, and for a report on the results of ADR to be filed by **July 15, 2011**.

The undersigned notes that mediation is the more typical method of ADR in this district, and that at least in this case, the Honorable Richard L. Voorhees has left it to the undersigned's discretion to determine whether a judicial settlement conference is appropriate. Under the circumstances, the undersigned instructs the parties to file a motion for judicial settlement conference, jointly if possible, if that is indeed their preferred method of ADR. Any such motion should describe in five (5) pages or less why the parties contend a judicial settlement conference is appropriate here, and why such conference is preferable to mediation.

**IT IS, THEREFORE, ORDERED** that the parties may file, jointly if possible, a request for judicial settlement conference as described herein.

Signed: May 24, 2011

David C. Keesler

United States Magistrate Judge